

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER of the Application) UTILITY DIVISION
of Montana-Dakota Utilities Co. for) DOCKET NO. 81.7.62
Authority to Establish Increased) AMENDED INTERIM ORDER
Rates for Gas Service.) NO. 4834a

ERRATA SHEET TO AMENDED INTERIM ORDER NO. 4834a

The date on page 3 of Interim Order No. 4834a, Service Date November 23, 1981 should be changed to read October 5, 1981, rather than November 23, 1981.

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IN THE MATTER of the Application)
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for Authority to Establish) DOCKET NO. 81.7.62
Increased Rates for Gas Service.) AMENDED INTERIM ORDER NO.
4834a

FINDINGS OF FACT

1. On August 10, 1981 the Montana Public Service Commission issued Interim Order No. 4834 in Docket No. 81.7.62. That order pro-

vided for interim relief to the Applicant, Montana-Dakota Utilities in the amount of \$4,181,500, based on the Commission's current proposed "make-whole" policy for interim relief.

2. On September 28, 1981 MDU issued a notice to all parties involved in these proceedings stating that the Company had

made an error in preparing its case and that, as a consequence, the proper make-whole interim adjustment was not \$4,181,500 but \$2,081,500.

3. The Commission accepts the Company's adjustment to the rate filing and finds the appropriate level of interim relief to be \$2,081,500.

CONCLUSIONS OF LAW

1. Applicant, Montana-Dakota Utilities Company, is a corporation providing service within the State of Montana and as such is a public utility within the meaning of Section 69-3-101, MCA.

2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.

3. Section 69-3-304, MCA, provides, in part, "The Commission may, in its discretion, temporarily approve increases in rates pending a hearing or final decision."

4. The rate levels and spread approved herein are a reasonable means of providing interim relief to MDU. The rebate provisions of Section 69-3-304, MCA, protect rate-payers in the event that any revenue increases authorized by this order are found to be unjustified in the final order in this docket.

ORDER

1. Applicant, Montana-Dakota Utilities Company is hereby granted interim rate relief reflecting increased annual revenues of \$2,081,500. The interim level granted in Order No. 4834 is hereby revoked.

2. The relief authorized herein is to be reflected in tariff sheets showing an effective date of October 5, 1981. (Such tariffs were filed and approved by the Commission October 5, 1981.)

3. Applicant will continue to notify the Commission upon receipt of information regarding any FERC action pertaining to off-line sales and submit tariff sheets reflecting any reduction in revenues arising from FERC authorized off-system sales.

4. Interim revenues granted herein are subject to rebate should the final order in this docket determine that the interim revenues granted herein are excessive. Any such rebate would include interest at MDU's last authorized cost of equity capital.

DONE IN OPEN SESSION THIS 5th day of October, 1981, by a vote of 5-0.

GORDON E. BOLLINGER, Chairman

JOHN DRISCOLL, Commissioner

HOWARD ELLIS, Commissioner

CLYDE JARVIS , Commissioner

THOMAS SCHNEIDER, Commissioner

ATTEST:

Madeline L. Cottrill Secretary

(SEAL)

NOTE: You may be entitled to judicial review of the final decision in this matter. If no motion for Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion for Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA; and Commission Rules of Practice and Procedure, esp. 38.2.4806, ARM.